

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RAYMOND C. WALEN, JR.,

Plaintiff,

Case No. 06-14201

v.

District Judge John Corbett O'Meara
Magistrate Judge R. Steven Whalen

SPRINT, et al.,

Defendants.

_____ /

ORDER

Before the Court is Plaintiff's Motion to Add as a Defendant Embarq Payphone Services, Inc. [Docket #25]. Counsel for Defendant "Sprint," maintaining its argument that "Sprint" is not an entity capable of being sued¹, does not object to adding Embarq Payphone Services, Inc. as the proper party in this action.

Accordingly, Plaintiff's Motion to Add Defendant [Docket #25] is GRANTED.

SO ORDERED.

S/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: January 3, 2008

¹ See *Motion to Dismiss* [Docket #22], which will be considered in a separate Report and Recommendation. In the Motion to Dismiss, counsel for "Sprint" agreed to answer on behalf of Embarq within 10 days of a substitution of Embarq for Sprint.

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on January 3, 2008.

S/G. Wilson

Judicial Assistant